

ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS' MEETING
GOVERNMENTAL CENTER
Tuesday, May 30, 2006

Present: Commissioner President Thomas F. McKay

Commissioner Kenneth R. Dement

Commissioner Lawrence D. Jarboe

Commissioner Thomas A. Mattingly, Sr.

Commissioner Daniel H. Raley

George G. Forrest, County Administrator

Betty Jean Pasko, Senior Admin. Coordinator (Recorder)

The meeting was called to order at 9:10 AM

APPROVAL OF CHECK REGISTER

Commissioner Mattingly moved, seconded by Commissioner Dement, to authorize the Commissioner President to sign the Check Register as presented. Motion carried 5-0.

APPROVAL OF MINUTES

Commissioner Mattingly moved, seconded by Commissioner Jarboe, to adopt the minutes of the Commissioners' meeting of May 23, 2006, as presented. Motion carried 5-0.

PROCLAMATION

Present: Phil Rollins, Director, Dept. of Recreation, Parks and Community Services

Andy Roper, Chairman, Recreation & Parks Board

Coleman Hillman, Board Member, Recreation & Parks

Jim Swift, Chairman, Friends of the Trail

The Commissioners presented a proclamation proclaiming Saturday, June 3, 2006, as National Trails Day in St. Mary's County.

COUNTY ADMINISTRATOR

1. Draft Agendas for June 6 and 13, 2006

2. Department of Public Works and Transportation (*George Erichsen, Dir.*)

Commissioner Dement moved, seconded by Commissioner Mattingly, to approve and authorize the Commissioner President to sign the Memorandum of Agreement from the Maryland Emergency Management Agency and the associated grant from the Maryland Dept. of the Environment to elevate three residential structures in the Piney Point area above the 100-year floodplain under the Hazard Mitigation Grant Program. Motion carried 5-0.

Commissioner Raley moved, seconded by Commissioner Jarboe, to approve and authorize the Commissioner President to sign the Easement Agreement with Patuxent Park, L.L.C. for the installation and maintenance of a "Keystone" retaining wall on Pacific Drive located in the Willowgate at Patuxent Park West Subdivision, 8th Election District and also to approve and authorize the Commissioner President to sign the Public Works Agreement for Willowgate at Patuxent Park West Subdivision, also located in the 8th Election District with an expiration date of April 1, 2008. Motion carried 5-0.

Commissioner Jarboe moved, seconded by Commissioner Mattingly, to approve and authorize the Commissioner President to sign the Budget Amendment to move funds from the Northern Senior Center (PF0105) into the FIN 06 Capital Reserve account in the amount of \$30,892. Motion carried 5-0.

Commissioner President McKay requested that the minutes reflect the Commissioners' concern for improving the parking area landscape (as a priority over installing an awning).

3. Finance Dept. (*Elaine Kramer, CFO*)

Commissioner Dement moved, seconded by Commissioner Mattingly, to approve and sign the required Resolution authorizing the reapplication of \$189,001 of the proceeds from the Consolidated Public Improvement Bonds of 2005 to the Carver Elementary School project. Motion carried 5-0.

4. Land Use & Growth Management (*Denis D. Canavan, Dir.*)

Commissioner Mattingly moved, seconded by Commissioner Jarboe, to approve and authorize the Commissioner President to sign Budget Amendment transferring Dept. of Land Use salary funds from Administration to Inspections. Motion carried 5-0.

5. Health Department

(Tracy Kubinec, Fiscal Officer, and Joyce Sapp Fiscal Officer)

Commissioner Jarboe moved, seconded by Commissioner Dement, to approve and authorize the Commissioner President to sign the document confirming the \$45,000 FY 2007 settlement for mosquito control. Motion carried 5-0.

(Karen Yates, Coordinator, Infants and Toddlers Program)

Commissioner Dement moved, seconded by Commissioner Mattingly, to approve and sign the Resolution reappointing the St. Mary's County Health Department as the local lead agency for the St. Mary's County Infants and Toddlers Program. Motioned carried 5-0.

6. **Department of Economic & Community Development** (*John Savich, Director, DECD; Dennis Nicholson, Executive Director, Housing Authority, Rhonda Garcia, Program Coordinator*)

Commissioner Raley moved, seconded by Commissioner Mattingly, to approve and sign the Resolution endorsing the application for loan funds from the Maryland's Department of Housing and Community Development, Community Development Administration, to offset increasing construction costs of the 42-unit condominium housing development project known as 'The Gateways' located in the 8th Election District. Motion carried 5-0.

7. **Department of Aging** (*Jennie Page, Acting Director; Julie Van Orden, Manager Home & Comm. Services; Peggy Maio, Fiscal Supervisor*)

Commissioner Dement moved, seconded by Commissioner Jarboe, to approve and authorize the Commissioner President to sign the Supplemental Grant Memorandum of Understanding between the Maryland Department of Health and Mental Hygiene and the Department of Aging for Adult Day Care funding and related Budget Amendment in the amount of \$10,437. Motion carried 5-0.

Commissioner Dement moved, seconded by Mattingly, to approve and authorize the Commissioner President to sign the Notification of Grant Awards for the Older Americans Act Title III's Federal Grant and related Budget Amendment in the amount of 220,533. Motion carried 5-0.

8. **County Administrator** (*George Forrest*)

Commissioner Mattingly moved, seconded by Commissioner Jarboe, to approve and authorize the Commissioner President to sign a Budget Amendment to transfer \$1,624 from the BOCC reserve to Memberships, in order to pay the 2006 membership dues for NACo. Motion carried 5-0.

APPROVE FINAL FISCAL YEAR 2007 BUDGET AND SET TAX RATES

Present: Elaine Kramer, Chief Financial Officer
Jeannett Cudmore, Deputy Director, Finance Department

The Finance Department presented a Revenue Tax Ordinance and an Appropriation Ordinance for Fiscal Year 2007 for review and adoption. After proper legal advertising, a public hearing regarding these matters was conducted on April 25, 2006, at Great Mills High School.

Commissioner Raley moved, seconded by Commissioner Jarboe, to approve the proposed ordinance for levying rates for St. Mary's County revenue taxes, emergency services tax rates, property tax rates, service charge energy fuel tax rates, and the special district tax rates for fiscal year 2007. Motion carried 5-0.

Commissioner Raley moved, seconded by Commissioner Mattingly, to approve the FY 2007 St. Mary's County Appropriations and Capital Improvement Program Ordinance.

Motion carried 5-0.

The Commissioners will schedule discussion of the MOUs relative to FY07 capital projects on a future agenda.

Ms. Kramer was asked to add a footnote on page one of the FY07 Budget to clarify that the total \$180m includes County funding of \$160m and reserves in the amount of \$20m.

OFFICE OF THE SHERIFF: REQUEST APPROVAL OF PART I & II OF THE LOCAL JAIL CONSTRUCTION PROJECT SUBMISSION TO THE STATE OF MARYLAND

Present: Sheriff David Zylak
Mary Ann Thompson, Exec. Coord.

Sheriff Zylak presented Part I and Part II of the Local Jail Construction Project submission for the Commissioners' review and approval. In order to request funding from the state of Maryland to assist with local jail construction, a two-part facility program must be submitted: Part I includes the justification for the project and explanation of the scope of work and Part II includes the additional details needed to procure architectural and engineering services and to provide detailed guidance in creating the project design. The St. Mary's County submission is due to the state on June 30, 2006.

Following discussion of the Plan, the Commissioners agreed to defer action on this item until the next meeting. Sheriff Zylak was asked to respond to Commissioner Raley's questions regarding the work release area proposed capacity and clarification of operating costs at the next meeting.

DEPARTMENT OF ECONOMIC & COMMUNITY DEVELOPMENT: RESOLUTION PROVIDING FOR LANDOWNERS TO ESTABLISH MARYLAND AGRICULTURE LAND PRESERVATION DISTRICTS

Present: Donna Sasscer, Agriculture Manager

Ms. Sasscer noted for the record that a public hearing was held on May 16, 2006 on the proposed Resolution to consider the following properties for participation in the Maryland Agriculture Land Preservation Foundation Program:

(1) 36611 Notely Hall Road, Chaptico, Maryland 20621, as depicted on St. Mary's County Tax Map 30, Grid 7, Parcel 298;

(2) 21939 Mossely Lea Lane, Avenue, Maryland 20609, as depicted on St. Mary's County Tax Map 38, Grid 24, Parcel 33;

(3) 44655 Clarks Mill Road, Hollywood, Maryland 20636, as depicted on St. Mary's County Tax Map 34, Grid 3, Parcel 307;

(4) 40470 Parsons Mill Road, Loveville, Maryland 20656, as depicted on St. Mary's County Tax Map 19, Grid 20, Parcel 164;

(5) Oalkey Road & Cobrums Wharf Road, Avenue, Maryland 20609, as depicted on St. Mary's County Tax Map 39, Grid 7, Parcel 223;

(6) 38656 Gilberts Lane, Avenue, Maryland 20609, as depicted on St. Mary's County Tax Map 39, Grid 7, Parcel 54;

(7) 25400 Maidenside Lane, Loveville, Maryland 20656, as depicted on St. Mary's County Tax Map 19, Grid 20, Parcel 147;

(8) 23881 Fancy Discovery Lane, Chaptico, Maryland 20621, as depicted on St. Mary's County Tax Map 30, Grid 4, Parcel 19;

(9) 22945 Bayside Road, Compton, Maryland 20627, as depicted on St. Mary's County Tax Map 21, Grid 23, Parcel 13;

(10) 21818 Oakley Road, Avenue, Maryland 20609, as depicted on St. Mary's County Tax Map 39, Grid 19, Parcel 67;

(11) 21540 White's Neck Road, Bushwood, Maryland, 20618, as depicted on St. Mary's County Tax Map 46, Grid 1, Parcel 2;

(12) 48640 Spring Ridge Road, Dameron, Maryland, 20628, as depicted on St. Mary's County Tax Map 59, Parcels 409, 194, 402 & 2;

(13) 24139 Hurry Road, Chaptico, Maryland, 20621, as depicted on St. Mary's County Tax Map 30, Grid 4, Parcel 95;

(14) 42990 Latimore Lane, Leonardtown, Maryland, 20650, as depicted on St. Mary's County Tax Map 49, Grid 3, Parcel 41;

(15) Three Notch Road, Lexington Park, Maryland, 20653, as depicted on St. Mary's County Tax Map 63, Grid 23, Parcel 72;

(16) 20648 Old Saw Mill Lane, Leonardtown, Maryland, 20650, as depicted on St. Mary's County Tax Map 49, Grid 20, Parcel 197;

(17) 50447 Hays Beach Road, Scotland, Maryland, 20687, as depicted on St. Mary's County Tax Map 73, Grid 4, Parcel 220;

(18) 26815 Baptist Church Road, Mechanicsville, Maryland, 20659, as depicted on St. Mary's County Tax Map 13, Grid 13, Parcel 219;

(19) Colton Point Road, Avenue, Maryland, 20609, as depicted on St. Mary's County Tax Map 38, Grid 5, Parcel 19;

(20) Colton Point Road, Avenue, Maryland, 20609, as depicted on St. Mary's County Tax Map 38, Grid 12, Parcel 138;

(21) Colton Point Road, Avenue, Maryland, 20609, as depicted on St. Mary's County Tax Map 38, Grid 17, Parcel 139; and

(22) Colton Point Road, Avenue, Maryland, 20609, as depicted on St. Mary's County Tax Map 38, Grid 12, Parcel 140; and

Commissioner Mattingly moved, seconded by Commissioner Jarboe, to approve the petitions and designation of 22 properties as Maryland Agriculture Land Preservation Districts ALPD#06-150-001 through -022. Motion carried 5-0.

COMMISSIONER TIME

Commissioner Raley

Attended the College of Southern Maryland graduation

Gave a presentation to 4th graders at Green Holly

Asked all the young men and women graduating this week to be safe.

Congratulated American Legion Post 255 in Ridge and thanked all the Commissioners for attending the Memorial Day ceremony.

Commissioner Dement

Attended the Marcy House Golf Tournament

Attended the Memorial Day wreath laying ceremony at the American Legion

Congratulations to Harold Starr who celebrated his 50th birthday, presented a Proclamation on behalf of the Commissioners.

Commissioner Mattingly

Attended the Tech Center Seniors Ceremony, congratulations were extended to students that participated in the Tech Center program.

Attended the College of Southern Maryland graduation (25% from St. Mary's).

Reminded everyone graduating this week to be safe.

Commissioner Jarboe

Welcomed everyone to Charlotte Hall for the grand opening of the Three Notch Trail.

Commissioner McKay

Congratulated all of the students and faculty who participated in the Gear-Up program. Gear-up is a federally-funded program that serves a group of Great Mills High School seniors who will be the first generation college attendees next fall.

VOTE TO MOVE INTO JOINT BOARD OF COUNTY COMMISSIONERS AND BOARD OF EDUCATION EXECUTIVE SESSION

Commissioner Raley moved, seconded by Commissioner Dement, to enter into a joint Executive Session with the Board of Education for the purposes of discussing property acquisition as provided for in Article 24, Section 4-210(a)11. Motion carried 5-0.

EXECUTIVE SESSION

Real Property Acquisition

Present: Commissioner Thomas F. McKay, President

Commissioner Kenneth R. Dement

Commissioner Lawrence D. Jarboe

Commissioner Thomas A. Mattingly, Sr.

Commissioner Daniel H. Raley

George Forrest, County Administrator

Denis Canavan, Director, Land Use and Growth Management

Donna Gebicke, Administrative Assistant to the BOCC, Recorder

Dr. Michael J. Martirano, Superintendent, St. Mary's County Public Schools (SMCPS)

Dr. Salvatore Raspa – Chair, Board of Education (BOE)

Mrs. Cathy Allen – BOE member

Mrs. Mary Washington – BOE member

Mr. Gary Kessler – BOE member

Mr. Bill Mattingly – BOE member

Mr. J. Bradley Clements, Chief Administrative Officer, SMCPS

Mrs. Kimberly Howe, Supervisor, Capital Planning, SMCPS

Beverley Dahlstrom, Recorder, SMCPS and BOE

Authority: Article 24, Section 4-210(a)11

Time Held: 11:25 am - 12:55 pm

Action taken: The Commissioners discussed real property acquisition issues.

DEPART GOVERNMENT CENTER

The Commissioners departed the Governmental Center to visit the following local businesses:

The Victorian Candle Bed & Breakfast, Dean Lumber & Supply Company, Miller Cabinetmakers, and Traditions of Loveville.

ADJOURNMENT

The meeting adjourned at 5:10 pm.

Minutes Approved by the Board of County Commissioners on _____

Betty Jean Pasko, Senior Administrative Coordinator